Wishtoyo Foundation and its Ventura Coastkeeper Program
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Ventura, California 93003
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January 9, 2014

VIA CERTIFIED MAIL

G.I. Industries
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, TX 77002

Waste Management Collection and Recycling, Inc.
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, TX 77002

Waste Management National Services, Inc.
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, TX 77002

Waste Management Holdings, Inc.
Attn: Managing Agent
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Waste Management of California, Inc.
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, TX 77002

Waste Management Recycling and Disposal Services of California, Inc.
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, TX 77002

Waste Management, Inc.
Attn: Managing Agent
1001 Fannin, Suite 4000
Houston, Texas 77002

G.I. Industries
Attn: Managing Agent
195 West Los Angeles Ave.
Simi Valley, CA, 93065

VIA U.S. MAIL

Registered Agent for

G.I. Industries
C T Corporation System
818 W Seventh St.
Los Angeles, CA 90017

Waste Management Holdings, Inc.
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE, 19801

Waste Management of California, Inc.
C T Corporation System
818 W Seventh St.
Los Angeles, CA 90017

Waste Management, Inc.
The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE, 19801

Re: Notice of Violation and Intent to File Suit Under the Federal Water Pollution Control Act

To Whom It May Concern:

I am writing on behalf of Ventura Coastkeeper, a program of the Wishtoyo Foundation, and the Wishtoyo Foundation (collectively "Coastkeeper"), in regard to violations of the Clean Water Act[1] and the State of California's Storm Water Permit[2] occurring at the G.I. Industries municipal and commercial refuse and trash collection, refuse and trash hauling, and refuse and trash truck yard facility located at 195 West Los Angeles Ave., Simi Valley, CA, 93065 (hereinafter "G.I. Facility", "G.I. Industries Facility", or "Facility"). The purpose of this letter is to put the Owners and/or Operators of the G.I. Industries Facility[3] on notice of their procedural and substantive violations of the Storm Water Permit, including but not limited to the discharges of polluted storm water and dry weather runoff from the G.I. Facility into local waterways. These violations of the Storm Water Permit are violations of the Clean Water Act. As explained below, the G.I. Facility Owners and/or Operators are liable for violations of the Storm Water Permit and the Clean Water Act.

Section 505(b) of the Clean Water Act, 33 U.S.C. § 1365(b), requires that sixty (60) days prior to the initiation of a civil action under Section 505(a) of the Clean Water Act, 33 U.S.C. § 1365(a), a citizen must give notice of his/her intention to sue. Notice must be given to the alleged violator, the Administrator of the United States Environmental Protection Agency ("EPA"), the Regional Administrator of the EPA, the Executive Officer of the water pollution control agency in the State in which the violations occur, and, if the alleged violator is a corporation, the registered agent of the corporation. *See* 40 C.F.R. § 135.2. This letter is being sent to you as the responsible owners, officers, and/or operators of the G.I. Industries, or as the registered agent for these individuals and entities. By this letter, pursuant to 33 U.S.C. §§ 1365(a) and (b) of the Clean Water Act, we hereby put the G.I. Facility Owners and/or Operators on notice that after the expiration of sixty (60) days from the date of this letter, we intend to file an enforcement action in Federal court against them for violations of the Storm Water Permit and the Clean Water Act.

I. Background

A. Ventura Coastkeeper and Wishtoyo Foundation

[1] Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 *et seq.*
[2] National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 [State Water Resources Control Board] Water Quality Order No. 92-12-DWQ, as amended by Order No. 97-03-DWQ.
[3] The Owners and/or Operators of the G.I. Facility are identified in greater detail in Section I.B below and referred to hereinafter as the "G.I. Facility Owners and/or Operators" or the "G.I. Industries Facility Owners and/or Operators".

Founded in 1997, the Wishtoyo Foundation ("Wishtoyo") is a 501(c)(3) non-profit public benefit grassroots corporation organized under the laws of the State of California and located at 33904 Pacific Coast Highway, Malibu, CA 90265. Wishtoyo's mission is to preserve, protect and restore Chumash culture, the culture and history of coastal communities, cultural resources, and the environment. Wishtoyo has over 700 members consisting of Ventura County's diverse residents, Chumash Native Americans, and the general public who enjoy the recreational, spiritual, cultural, and aesthetic benefits of Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and Ventura County's coastal marine waters and environment.

Ventura Coastkeeper is a program of Wishtoyo. Ventura Coastkeeper's mission is to protect, preserve, and restore the ecological integrity and water quality of Ventura County's inland water bodies, coastal waters, and watersheds. Ventura Coastkeeper strives to maintain clean and ecologically healthy waters for all living beings in Ventura County through advocacy, education, restoration projects, community mobilizing, actively seeking Federal and State agency implementation of the Clean Water Act, and, when necessary, directly initiating enforcement actions on behalf of itself and its members. Ventura Coastkeeper is also a member of the Waterkeeper Alliance, a coalition of nearly 200 member programs on six continents around the world fighting for clean water and strong communities.

As a program of Wishtoyo Foundation, Ventura Coastkeeper also strives to protect, preserve, and restore the natural resources that the Chumash culture, and all cultures, depend upon. The Chumash Peoples, including members of Wishtoyo Foundation, have a long history of interaction with Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and Ventura's coastal waters, with the native wildlife that utilize these waterbodies, and natural Chumash cultural resources of these waterbodies, of which, the Chumash Peoples utilize to maintain their lifeways, for ap (dwelling unit) construction, for Chumash basketry, and for a variety of other cultural purposes, including religious and ceremonial ones.

As further explained below, the G.I. Facility discharges polluted storm water and dry weather runoff to Arroyo Simi, all of which flow to Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean. Members of Coastkeeper live near and/or use the waters receiving the polluted discharges from the G.I. to fish, boat, swim, bird watch, view wildlife, and to engage in scientific study and cultural activities. The discharge of pollutants from the G.I. Facility impairs these uses. Thus, the interests of Coastkeeper's members have been, are being, and will continue to be adversely affected by the failure of the G.I. Facility Owners and/or Operators to comply with the Storm Water Permit and the Clean Water Act.

B. The G.I. Industries Facility and its Owners and/or Operators

Information available to Coastkeeper indicates that the G.I. Facility, is an approximately 8.2 acre[4] municipal and commercial refuse and trash collection, refuse and trash hauling, and refuse and trash truck yard facility located near Arroyo Simi in Simi Valley, California. The

[4] This is the size of the Facility reported in G.I. Industries' June 2012 Storm Water Pollution Prevention Plan ("SWPPP") and Storm Water Monitoring Plan ("SWMP").

facility consists of waste transfer and recycling areas, waste loading and unloading areas, waste and recycling storage areas, container washing areas, container storage and repair areas, a maintenance yard/area, truck washing areas, truck repair areas, truck storage and truck parking lot areas, fueling stations, a truck maintenance garage, and painting areas.

The G.I. Facility Owners and/or Operators obtained coverage under the Storm Water Permit by submitting a Notice of Intent ("NOI") to obtain Storm Water Permit coverage. This NOI lists G.I. Industries' Standard Industrial Classification code of regulated activity ("SIC Code") as 4953 (Refuse Systems).

Information available to Coastkeeper indicates that the G.I. Facility, which is located at 195 West Los Angeles Ave., Simi Valley, CA, 93065, is owned and/or operated by G.I. Industries; Waste Management Collection and Recycling, Inc.; Waste Management National Services, Inc.; Waste Management Holdings, Inc.; Waste Management of California, Inc.; Waste Management Recycling and Disposal Services of California, Inc.; and Waste Management, Inc. (hereinafter collectively referred to as "G.I. Industries Facility Owners and/or Operators" or "G.I. Industries"). Information available to Coastkeeper indicates that the registered agent for service of process for G.I. Industries and the G.I. Industries Facility Owners and/or Operators is C T Corporation System located at 818 W Seventh St., Los Angeles, CA 90017 and or The Corporation Trust Company located at Corporation Trust Center, 1209 Orange Street Wilmington, DE, 19801.

The G.I. Industries Facility Owners and/or Operators have discharged and continue to discharge pollutants unlawfully from the G.I. Facility into local waterbodies. As explained below, the G.I. Industries Owners and/or Operators are liable for violations of the Storm Water Permit and the Clean Water Act.

C. Storm Water Pollution, Arroyo Simi, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean

With every significant rainfall event, millions of gallons of polluted rainwater, originating from industrial operations such as the G.I. Facility, pour into Ventura County storm drains and surface waters, and then into the Pacific Ocean. The consensus among agencies and water quality specialists is that storm water pollution accounts for more than half of the total pollution entering the marine, river, estuarine, and wetland environments each year. This discharge of pollutants from industrial facilities in storm water contributes to the impairment of downstream waters and aquatic dependent wildlife, including birds and fish.

Mugu Lagoon

ortion of Mugu Lagoon, from Laguna Point east to Point Mugu, is part of the ea of Special Biological Significance ("ASBS") as designated by the State of

California for special ecological protections[5]. The Mugu-Latigo ASBS is the largest of the mainland ASBS in Southern California, with 24 miles of coastline and 11,842 acres of marine habitat. Mugu Lagoon and its wetlands, home to the Chumash Native American Village of Muwu, is largely contained within the Mugu-Latigo ASBS. Mugu Lagoon is one of the key coastal wetlands in the state, supporting over 60,000 shorebirds each spring, up to 10,000 shorebirds in the winter, thousands of ducks during duck migration season and the winter, and 18 species of fish. It is an integral component of the Pacific Flyway, and over 205 avian species have been reported in the Lagoon, including five avian species listed under the Federal Endangered Species Act. One of the world's largest populations of Belding's Savannah Sparrow is found in Mugu Lagoon. Mugu Lagoon is also home to the farthest-north remaining population of Light-footed Clapper Rail. In addition, Peregrine Falcon have been observed at Mugu Lagoon, and Mugu Lagoon supports the largest remaining natural Brown Pelican roosting area in southwestern California.

Mugu Lagoon's is listed on the Clean Water Act 303(d) of impaired waterbodies (as Reach 1 of the Callegus Creek Watershed) for Copper, Zinc, Mercury, Nickel, Sediment Toxicity, Sedimentation/Siltation, Chlordane (tissue), DDT (tissue & sediment), Dieldrin, Endosulfan (tissue), Nitrogen B 06/20/2003, PCBs (Polychlorinated biphenyls) (tissue), and Toxaphene. These pollutants, which threaten Mugu Lagoon's avian and aquatic species and humans who fish and recreate in and alongside Mugu Lagoon, flow into Mugu Lagoon from various upstream sources and tributaries, including Calleguas Creek, Arroyo Las Posas, and Arroyo Simi.

The Calleguas Creek Watershed and Arroyo Simi

The U.S. Environmental Protection Agency (EPA) considers Calleguas Creek and its tributaries, which supply more than a quarter of the county's needs for drinking and irrigation water, as one of California's most polluted river systems, as it contains a remarkably high number of U.S. EPA Clean Water Act Section 303(d) water quality impairments. Arroyo Simi, a tributary to Calleguas Creek adjacent to and downstream of the G.I. Industries Facility (Calleguas Creek Reach 7), is on the Clean Water Act Section 303(d) list of impaired waterbodies for: Total Dissolved Solids, Ammonia, Boron, Chloride, Chlorpyrifos, Diazinon, Indicator Bacteria, Organophosphorus Pesticides, Sedimentation/Siltation, Sulfates, Toxicity, and Trash.[6] Calleguas Creek and Arroyo Las Posas, downstream of the confluence of Arroyo Las

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[5] The California State Water Resources Control Board ("SWRCB"), under its Resolution No. 74-28, designated certain ASBS in the adoption of water quality control plans for the control of wastes discharged to ocean waters. The ASBS are intended to afford special protection to marine life through prohibition of waste discharges within these areas. The concept of "special biological significance" recognizes that certain biological communities, because of their value or fragility, deserve very special protection that consists of preservation and maintenance of natural water quality conditions to practicable extents (from SWRCB's and California Regional Water Quality Control Boards' Administrative Procedures, September 24, 1970, Section XI. Miscellaneous--Revision 7, September 1, 1972).

[6] *See* Los Angeles Region Integrated Report Clean Water Act Section 305(b) Report and Section 303(d) List of Impaired Waters, Appendix F, "2008 Clean Water Act 303(d) List of Water Quality Limited Sections," available at http://www.waterboards.ca.gov/losangeles/water_issues/programs/303d/2008_integrated_report_303%28d%29_list.shtml (last visited December 8, 2013).

Posas and Arroyo Simi[7], are on the Clean Water Act Section 303(d) list of impaired waterbodies for: Fecal Coliform, Trash, Copper, Dissolved Copper, Mercury, Nickel, Zinc, Sediment Toxicity, Toxicity, Sedimentation/Siltation, Chlordane (tissue), Chlordane, DDT (tissue & sediment), DDT, Dieldrin, Endosulfan (tissue), Nitrogen, Nitrate as Nitrate (NO3), Nitrate and Nitrite, Ammonia, PCBs (Polychlorinated biphenyls) (tissue), Toxaphene, Toxaphene (tissue & sediment), ChemA (tissue), Total Dissolved Solids, Chloride, Chlorpyrifos, Diazinon, Organophosphorus Pesticides, and Sulfates.

Arroyo Simi, Arroyo Las Posas, and Calleguas Creek and its tributaries support aquatic, avian, terrestrial, and riparian flora and fauna as they flow through five cities before flowing into the ecologically significant and delicate Mugu Lagoon and then Pacific Ocean. Calleguas Creek, Arroyo Las Posas, and Arroyo Simi were of vital importance to Native Americans, particularly the Chumash, who located no fewer than five villages along these creeks and buried their ancestors along their banks. The creeks provided, and continue to provide, the Chumash with sources of food, sacred sites for ceremony, and cultural materials for baskets, jewelry, clothing, and aps (Chumash dwelling units). These creeks remain important to all of their watersheds' residents and visitors, who also fish, hike, wade, view wildlife, conduct scientific study, participate in trash clean ups, and otherwise use enjoy their plethora of beneficial uses.

Arroyo Simi flows roughly 12 miles from Corriganville Park located in the vicinity of 7001 Smith Road, Simi Valley, CA 93063 to Simi Valley's western city limits. A recreational trail which extends along Arroyo Simi's length, where users routinely view aquatic life, avian wildlife, and riparian vegetation as they hike, jog and bike along the trail, is about 40% complete, but has the potential to eventually connect multiple parks, schools, and neighborhoods, and to become a valuable resource that the community is proud of and uses on a regular basis. In 2005, the Rancho Simi Recreation and Park District, City of Simi Valley, Simi Valley Unified School District and Ventura County Watershed Protection District jointly created an Ad Hoc Committee to develop the Arroyo Simi Greenway Specific Plan to revitalize Arroyo Simi into a scenic Greenway which includes healthy recreational opportunities and provides transportation alternatives other than the automobile. The Specific Plan identifies goals for the revitalization of the Greenway, including improving Arroyo Simi's water quality and enhancing Arroyo Simi's riparian habitat. The plan also includes improving the Greenway's recreational uses by realigning and extending the existing path, developing trailhead areas, providing pedestrian/bike bridges and overlooks at key locations, installing interpretive and ecological interpretive exhibits, providing additional rest and picnic areas, and improving access to and visual awareness of the Greenway. The plan is designed to be completed in smaller phases over time as funds become available.

The G.I. Industries Facility, Arroyo Simi, Arroyo Las Posas, Calleguas Creek, and Mugu Lagoon

[7] Arroyo Simi flows into Arroyo Las Posas. Arroyo Las Posas flows into Calleguas Creek. Calleguas Creek flows into Mugu Lagoon, which flows into the Pacific Ocean.

The G.I. Industries Facility is located in the Calleguas Creek/Mugu Lagoon watershed near Arroyo Simi, a tributary to Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean. Polluted storm water and dry weather discharges from the G.I. Facility to the Ventura County Watershed Protection District storm drain/sewer system, to the local storm drain/sewer system, and to West Los Angles Avenue before flowing into Arroyo Simi. From Arroyo Simi, the polluted storm water and dry weather discharges from the G.I. Facility flow into Arroyo Las Posas, and where they flow into Calleguas Creek before flowing into Mugu Lagoon and then into the Pacific Ocean.

Polluted storm water and dry weather discharges from industrial facilities like the G.I. Facility contribute to the impairment of downstream surface waters, and aquatic dependent wildlife. A water body is impaired if it is unable to support its beneficial uses. The California Regional Water Quality Control Board, Los Angeles Region ("Regional Board") has issued its Water Quality Control Plan for the Los Angeles Region ("Basin Plan"), which lists the beneficial uses for waters in the Calleguas Creek and Mugu Lagoon Watershed ("Beneficial Uses"). The Beneficial Uses for the waters that receive polluted storm water discharges from the G.I. Facility include: water contact recreation (REC-1), non-contact water recreation (REC-2), navigation (NAV), commercial and sport fishing (COMM), estuarine habitat (EST), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR) and spawning, reproduction and development (SPWN), marine habitat (MAR), Wetland Habitat (WET), Rare, Threatened, or Endangered Species (RARE), Shellfish Harvesting (SHELL), Preservation of Biological Habitats (BIOL) such as Areas of Special Biological Significance (ASBS), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), Industrial (I), and Potential Municipal (MUN). *See* Basin Plan, pp. 2-1 - 2-5. Polluted storm water discharges from the G.I. Facility cause and/or contribute to the impairment of water quality and beneficial uses in the Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean; are toxic to aquatic life in these waterbodies and to resident and migratory birds that utilize these waterbodies; and threaten and adversely affect the environment and human health. For example, Arroyo Simi is listed on the Clean Water Act Section 303(d) list of impaired waterbodies as impaired for Indicator Bacteria, Sedimentation/Siltation, Sulfates, Toxicity, and Trash; Calleguas Creek and Arroyo Las Posas, downstream of the confluence of Arroyo Las Posas and Arroyo Simi, is on the Clean Water Act Section 303(d) list of impaired waterbodies for: Fecal Coliform, Trash, Copper, Dissolved Copper, Mercury, Nickel, Zinc, Sediment Toxicity, Toxicity, and Sedimentation/Siltation; and Mugu Lagoon is listed as impaired for Copper, Zinc, Mercury, Nickel, Sediment Toxicity, Sedimentation/Siltation[8].

For Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and Ventura's Coastal Waters to regain their health; for the Arroyo Simi Greenway and revitalization project to succeed and provide a safe and ecologically healthy experience for residents and visitors; for these waterbodies to be safe for human contact recreation; and for these waterbodies threatened,

[8] *See* Los Angeles Region Integrated Report Clean Water Act Section 305(b) Report and Section 303(d) List of Impaired Waters, Appendix F, "2008 Clean Water Act 303(d) List of Water Quality Limited Sections," available at http://www.waterboards.ca.gov/losangeles/water_issues/programs/303d/2008_integrated_report_303%28d%29_list.shtml (last visited 8 December 2013).

endangered, migratory, and resident species, to recover and thrive, illegal contaminated storm water and dry weather discharges must be eliminated.

II. The G.I. Industries Facility and Associated Discharges of Pollutants

Information available to Coastkeeper, including the Storm Water Pollution Prevention Plan ("SWPPP") for the industrial activities occurring at the G.I. Facility, as well as the NOI, indicate that the following industrial operations are conducted at the G.I. Facility: waste transferring and recycling; waste loading and unloading; waste, recyclables, and scrap metal sorting, preparing, and storage; container washing; container storage, maintenance, and repair; truck washing; truck storage, maintenance, fueling, and repair; machinery storage, maintenance, fueling, and repair; and truck and container painting. The G.I. Facility also stores hazardous waste such as waste oil, coolant, lead acid batteries, waste gasoline, and diesel.

Review of the Facility's SWPPP and visual observations conducted by Coastkeeper indicate that Facility's industrial operations are conducted outdoors without adequate cover from precipitation. The exposure of pollutants associated with these industrial activities to precipitation combined with the Facility's failure to adequately treat its storm water discharges, results in storm water carrying away pollutants generated from the Facility's industrial operations as storm water flows into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean from the G.I. Facility. Further, visual observations and sampling conducted by Coastkeeper indicate that Facility routinely discharges waste and wash water carrying and containing pollutants from the Facility and its operations into the Ventura County Watershed Protection District storm drain/sewer system, to the local storm drain/sewer system, and to West Los Angles Avenue before these dry weather discharges from the Facility containing pollutants from the Facility flow into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean.

Information available to Coastkeeper also indicates that oil and grease, metal particles, trash, fecal coliform, E. coli, indicator bacteria/total coliform, and other pollutants have been and continue to be tracked throughout the G.I. Facility operations area. These pollutants accumulate at the storm water discharge points, including the driveways and gates leading onto West Los Angeles Avenue. As a result, sediment, dirt, oil and grease, metal particles, trash, fecal coliform, E. coli, indicator bacteria/total coliform, and other pollutants are tracked off-site by trucks and vehicles leaving the G.I. Facility via staging areas and driveways, and are discharged from the Facility during storm events and dry weather periods.

Sources of pollutants associated with the industrial activities at the G.I. Facility include, but are not limited to waste transfer and recycling areas; waste loading and unloading areas; waste and recycling storage areas; container washing areas; container storage and repair areas; a maintenance yard/area; truck washing areas; truck repair areas; truck storage and truck parking lot areas; fueling stations; a truck maintenance garage; painting areas; parking areas; shipping and receiving areas; driveway areas; the office building; and on-site material handling equipment such as forklifts, and trucks. The pollutants associated with operations at the G.I. Facility include, but are not limited to: heavy metals such as copper, iron, and aluminum; fecal coliform,

E. coli, indicator bacteria/total coliform; trash; oil and grease; fuel and fuel additives; unleaded gasoline and diesel fuels; motor and hydraulic oils; total suspended solids ("TSS"); pH-affecting substances; trash; coolant; paints; detergent; lead acid batteries; fugitive and other dust, dirt, and debris.

Documents submitted to the State Water Resources Control Board ("State Board") and the Los Angeles Regional Water Quality Control Board ("Regional Board") by G.I Industries Owners and/or Operators, including the Facility's Storm Water Pollution Prevention Plan ("SWPPP") site map identifies two water discharge points from the G.I. Facility into the Ventura County Watershed Protection District storm drain/sewer system, to the local storm drain/sewer system, and to West Los Angles Avenue, all three of which flow into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean: The West Gate Discharge Point and the East Gate Discharge Point. In addition, Coastkeeper investigators have discovered three additional discrete Facility discharge points: 1.) from a gated driveway on West Los Angeles Avenue adjacent to the Facility's West Gate Discharge Point ("hereinafter Discharge Point GI-1"), that discharges to West Los Angeles Avenue, and then into the local storm drain/sewer system on or near West Los Angeles Avenue, before eventually flowing into Arroyo Simi, and before flowing into Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, the Pacific Ocean, and the Mugu to Latigo ASBS, all of which are hydrologically connected to, and downstream from, Arroyo Simi; 2.) from a driveway on West Los Angeles Avenue in between the East Gate Discharge Point / open storm channel running through the Facility and the main Facility offices ("hereinafter Discharge Point GIA") that that discharges to West Los Angeles Avenue, and then into the local storm drain/sewer system on or near West Los Angeles Avenue, before eventually flowing into Arroyo Simi, and before flowing into Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, the Pacific Ocean, and the Mugu to Latigo ASBS, all of which are hydrologically connected to, and downstream from, Arroyo Simi; and 3.) from underneath a fence to the right of the eastern most driveway on West Los Angeles Avenue that is east of the East Gate Discharge Point and to the right of the point where West Los Angeles Avenue terminates at the Facility driveway ("hereinafter Discharge Point GI-2"), that discharges to West Los Angeles Avenue, and then into the local storm drain/sewer system on or near West Los Angeles Avenue, before eventually flowing into Arroyo Simi, and before flowing into Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, the Pacific Ocean, and the Mugu to Latigo ASBS, all of which are hydrologically connected to, and downstream from, Arroyo Simi.

Comparing the SWPPP site map and the Facility's Annual Storm Water Reports submitted to the Regional Board and State Board to Coastkeeper investigators' discovery, discharges from Discharge Points GI-1, GI-2, and GIA appear to be previously unreported discharges that also have not been sampled or monitored as required by the Storm Water Permit.

Visual observations, satellite and overhead imagery, the Facility's SWPPP, the Facility's own monitoring results, and Coastkeeper monitoring results indicates that the G.I. Facility Owners and/or Operators have not properly developed and/or implemented best management practices ("BMPs") at the G.I. Facility sufficient to prevent the exposure of pollutants to storm water, and non-storm water wash down and waste water, sufficient to adequately treat pollutants in storm water and non-storm water, and sufficient to prevent the subsequent discharge of

polluted storm water and non-storm water from the G.I. Facility during precipitation and dry weather events. Consequently, during rain events and dry weather events, storm water and non-storm water flows carry pollutants from the G.I. Facility's industrial operations areas; waste transfer and recycling areas; waste loading and unloading areas; waste and recycling storage areas; container washing areas; container storage and repair areas; a maintenance yard/area; truck washing areas; truck repair areas; truck storage and truck parking lot areas; fueling stations; a truck maintenance garage; painting areas; parking areas; shipping and receiving areas; driveway areas; the office building; and on-site material handling equipment such as forklifts, and trucks; and other sources into: 1.) the Ventura County Watershed Protection District storm drain/sewer system; 2.) the local storm drain/sewer system adjacent to the Facility; and 3.) West Los Angles Avenue and then into the local storm drain sewer system and the Ventura County Watershed Protection District storm drain/sewer system; all three of which flow into Arroyo Simi, and then into Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean. These illegal discharges negatively impact Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean, and Coastkeeper's members' use and enjoyment of these waters.

Failure to comply with the Storm Water Permit, and the resulting discharges of pollutants from the G.I. Facility, are violations of the Storm Water Permit and the Clean Water Act. Besides violating the law, these failures have resulted in and continue to contribute to the degradation of Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean.

III. Violations of the Clean Water Act and the Storm Water Permit

With certain limited exceptions, any person who discharges storm water associated with industrial activity in California must comply with the terms of the Storm Water Permit in order to lawfully discharge pollutants. *See* 33 U.S.C. §§ 1311(a), 1342; 40 C.F.R. § 122.26(c)(1); Storm Water Permit, Fact Sheet p. VII. Storm water discharges from the G.I. Industries Facility constitute discharges of storm water associated with industrial activity because the operation of G.I. Industries' approximately 8.2-acre Facility is an industrial activity classified under the Standard Industrial Classification code of regulated activity ("SIC Code") as 4953-Refuse Systems, and the industrial activities at the Facility fall within the specified industrial categories in 40 C.F.R. § 122.26(b)(14) (Federal Register, Volume 55 on Pages 48065-66) and in Attachment 1 of the Storm Water Permit. A failure by G.I. Industries to comply with the Storm Water Permit is a violation of the Clean Water Act. Storm Water Permit, Section C(1), Fact Sheet p. I.; 33 U.S.C. §§ 1311(a), 1342; 40 C.F.R. § 126(c)(1).

A. Discharges of Storm Water from the G.I. Facility in Violation of Effluent Limitation B(3) of the Storm Water Permit, and the Clean Water Act

Effluent Limitation (B)(3) of the Storm Water Permit requires dischargers to reduce or prevent pollutants associated with industrial activity in storm water discharges through implementation of Best Management Practices ("BMPs") that achieve Best Available

Technology Economically Achievable ("BAT") for toxic pollutants[9] and Best Conventional Pollutant Control Technology ("BCT") for conventional pollutants.[10] EPA Benchmarks[11] are relevant and objective standards to evaluate whether a permittee's BMPs achieve compliance with BAT/BCT standards as required by Effluent Limitation B(3) of the Storm Water Permit.

Sampling data collected by G.I. Industries and reported by G.I. Industries to the Regional Board shows levels of copper, aluminum, iron, zinc, and TSS significantly above the EPA Benchmarks. For example, storm water discharge samples taken on January 22, 2009 from the Facility's East Gate Discharge Point evidence TSS at 595 mg/L, more than 5.9 times the EPA Benchmark, oil and grease at 40 mg/L, more than 2.5 times the EPA Benchmark, copper at .16 mg/l, more than 13 times the EPA Benchmark, aluminum at 15.5 mg/L, more than 20.5 times the EPA Benchmark, zinc at 1.23 mg/L, more than 11 times the EPA Benchmark, and iron at 22.1 mg/L, more than 22 times the EPA Benchmark. Storm water discharge samples taken on February 25, 2011 from the Facility's West Gate Discharge Point evidences TSS at 217 mg/L, more than 2.1 times the EPA Benchmark, copper at .02 mg/L, more than 1.5 times the EPA Benchmark, aluminum at 2.3 mg/L, more than 3 times the EPA Benchmark, and iron at 2.9 mg/L, more than 2.5 times the EPA Benchmark. Additionally, storm water discharge samples taken on October 5, 2011 from the Facility's East Gate Discharge Point evidences aluminum at .98 mg/L, more than 1.3 times the EPA Benchmark, and iron at 1.2 mg/L, 1.2 times the EPA Benchmark. Additional samples taken by the G.I. Industries Facility Owners and/or Operators, only at the East Gate and West Gate Discharge Points between 2009 - 2013 and reported in the Facility's Annual Reports, evidence numerous similar exceedances of EPA Benchmarks for TSS, copper, zinc, aluminum, and iron.

In addition, sampling data collected by the Coastkeeper shows that discharges from the G.I. Industries Facility contain concentrations of copper, aluminum, iron, zinc, and TSS above the EPA Benchmarks. For example, storm water discharge samples taken on December 7, 2013 from Discharge Point GI-2, a Discharge Point not reported or monitored by G.I. Industries as required by the Storm Water Permit, evidence TSS at 1,110 mg/L, more than 11 times the EPA Benchmark, copper at .022 mg/L, more than 1.75 times the EPA Benchmark, aluminum at 2.1 mg/L, more than 2.75 times the EPA Benchmark, and iron at 2.8 mg/L, more than 2.75 times the EPA Benchmark.

These repeated and significant exceedances of EPA Benchmarks are evidence that the G.I. Industries Owners and/or Operators have not implemented BMPs at the Facility that achieve compliance with the BAT/BCT standards. Coastkeeper's visual observations and photographic evidence further confirms that the G.I. Facility Owners and/or Operators have failed, and continue to fail, to develop and/or implement BMPs to prevent the exposure of pollutants to storm water and to prevent the discharge of polluted storm water from the G.I. Facility in violation of Effluent Limitation B(3) of the Storm Water Permit. Information available to

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[9] Toxic pollutants are listed at 40 C.F.R. § 401.15 and include iron, copper, lead, and zinc, among others.
[10] Conventional pollutants are listed at 40 C.F.R. § 401.16 and include biological oxygen demand, total suspended solids, oil and grease, pH, and fecal coliform.
[11] *See* Multi-Sector Permit (2008), Fact Sheet, p. 106; *see also*, Storm Multi-Sector Permit, 65 Federal Register 64839 (2000).

Coastkeeper indicates that the storm water discharges from the G.I. Facility violate Effluent Limitation B(3) of the Storm Water Permit during each significant rain event occurring since at least January 9, 2009, dates of which are identified in Exhibit A attached hereto.[12] These discharge violations are ongoing, and Coastkeeper will update the number and dates of violations when additional information and data becomes available.

Every day storm water is discharged, or continues to discharge, from the G.I. Facility in violation of Effluent Limitation (B)(3) of the Storm Water Permit is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). These violations are ongoing, and will continue each day contaminated storm water is discharged from the G.I. Facility in violation of Effluent Limitation (B)(3).

B. Discharges of Contaminated Storm Water and Non-Storm Water from the G.I. Industries Facility in Violation of Receiving Water Limitations C(1) and C(2) of the Storm Water Permit, and the Clean Water Act

Receiving Water Limitation C(1) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges to surface water that adversely impact human health or the environment. The G.I. Facility's storm water discharges and non-storm water discharges contain elevated concentrations of copper, aluminum, zinc, iron, E. coli, fecal coliform, total suspended solids ("TSS"), and trash in amounts that are known to have adverse effects on human health and that may cause: severe human illness or mortality; acute and chronic toxicity to aquatic life and aquatic plants; sub-lethal toxicity impacts to Southern California Steelhead and other aquatic life; change in the diversity and abundance of aquatic life; change in aquatic community structure and function; impacts to metabolism and osmoregulation of aquatic life; change in the structure and quality on benthic invertebrate habitat and food resources leading to decline in benthic invertebrate populations and diversity; and increases in aquatic organisms dietary supply of metals that can result in toxicity effects that ripple through an ecosystem's food chain.

Discharges from the G.I. Industries Facility that contain concentrations of E. coli and fecal coliform in excess of the Basin Plan[13] Water Quality Standards, into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean pose severe health threats and cause sever health impacts to humans recreating in or otherwise utilizing these waters.

In addition, the pollutants in the G.I. Industries Facility discharges contain TSS and metals such as copper, lead, and zinc, which can be acutely toxic and/or have sub-lethal impacts on the Southern California Steelhead and other aquatic life in Calleguas Creek. For example, the sub-lethal effects of dissolved copper on salmonids have been documented at concentrations measuring less than 5 micrograms per liter. Further, studies have shown that juveniles of several species of salmonids suffer sub-lethal effects at concentrations measuring less than 2 micrograms

[12] A significant rain event is an event that produces storm water runoff, which according to the United States Environmental Protection Agency occurs with more than 0.1 inches of precipitation.
[13] Available at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/ (last visited January 8, 2014).

per liter of dissolved copper. In addition, discharges containing TSS can be acutely toxic and/or have sub-lethal impacts on the Southern California Steelhead and other aquatic life in the Santa Clara River. For example, the acute toxicity (lethal) effects of TSS on salmonids have been documented at concentrations measuring 488 milligrams per liter ("mg/L").[14] Further, studies have shown that juveniles of several species of salmonids suffer multiple sub-lethal effects such as reduced survival, displacement, reduced feeding, and respiratory impacts at concentrations of 90 mg/L, 110 mg/L, 100mg/L, and 240 mg/L of TSS respectively.[15] Other studies have shown that at TSS concentrations of 80 mg/L, the density of macroinvertebrate populations, a crucial food source for Southern California Steelhead, decrease by sixty percent.[16]

Further, the trash discharged from the Facility into the Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean pollutes these waters and harms marine mammals, birds, fish, and macroinvertebrates either directly, through ingestion, entanglement or smothering, or indirectly, through changes to habitat and food sources.[17] Moreover, the presence of trash in Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and ultimately the Pacific Ocean endangers public health and discourages recreational use of these waterways and waterbodies by local residents and tourists. "Debris in water bodies can threaten the health of people who use them for wading or swimming."[18] A Regional Board report found that floating debris that ends up on beaches or in the open ocean "repel[s] visitors away from our beaches and degrad[es] coastal waters."[19] As such, debris "is also a nuisance" because "it is not aesthetically pleasing to the eye, and can also affect tourism if people do not want to spend time at a [waterbody] filled with trash."[20] As the Regional Board concluded for the Los Angeles River:

> [t]he prevention and removal of trash in the Los Angeles River ultimately will lead to improved water quality and protection of aquatic life and habitat, expansion of opportunities for public recreational access, enhancement of public interest in the rivers and public participation in restoration activities, and propagation of the vision of the river as a whole and enhancement of the quality of life of riparian residents.[21]

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[14] Effects of Turbidity and Suspended Solids on Salmonids, J. Bash; C. Berman, S. Bolton; Center for Streamside Studies, University of Washington (November 2001).
[15] *Id.*
[16] *See* The Gold Book: Quality Criteria for Water, U.S. Environmental Protection Agency, May 1986, available at http://water.epa.gov/scitech/swguidance/waterquality/standards/current/index.cfm#gold ; http://water.epa.gov/scitech/swguidance/waterquality/standards/criteria/aqlife/upload/2009_01_13_criteria_goldbook.pdf (last visited October, 20 2010).
[17] *See* Interagency Report on Marine Debris Sources, Impacts, Strategies & Recommendations, National Oceanic and Atmospheric Administration (August 2008) at 23.
[18] Los Angeles Regional Water Quality Control Board, Final Staff Report for the Santa Monica Bay Nearshore and Offshore Debris TMDL at 21. ,
[19] Trash TMDL for the Los Angeles River Watershed, California Regional Water Quality Control Board Los Angeles Region, Final Staff Report at 16.
[20] Los Angeles Regional Water Quality Control Board, Final Staff Report for the Santa Monica Bay Nearshore and Offshore Debris TMDL at 21.
[21] Trash TMDL for the Los Angeles River Watershed, California Regional Water Quality Control Board Los Angeles Region, Final Staff Report at 16.

In addition, the Regional Board previously determined, in its analysis of similar waterways to Arroyo Simi, Arroyo Las Posas, Calleguas Creek, and Mugu Lagoon that Beneficial Uses are adversely affected by trash, and that an appropriate amount of trash to be permitted in a waterway to protect those beneficial uses is zero.[22] Specifically, Regional Board staff found that "[s]mall and large floatables can inhibit the growth of aquatic vegetation, decreasing spawning areas and habitats for fish and other living organisms," and that "[w]ildlife living in rivers and in riparian areas can be harmed by ingesting or becoming entangled in floating trash."[23] Coastal birds, many of which feed in and along Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean are known to ingest small debris items along with food.[24] Ingestion of trash by birds can lead to malnutrition, starvation, damage to the digestive tract and/or stomach lining, or blockage of airways.[25] The plastic and synthetic rubber trash that G.I Industries discharges is especially harmful to the Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean ecosystems because of its tendency to float, disperse, and persist in the environment for many years without biodegrading.[26] In addition, because the Arroyo Simi is a tributary to the Pacific Ocean, some of G.I. Industries' discharge of trash will end up polluting costal waters, adversely affecting marine mammals, birds, and fish either directly, through ingestion, entanglement or smothering, or indirectly, through changes to habitat.[27] It is estimated that approximately 100,000 marine mammals die every year from entanglement or ingestion of floatables.[28] The cleanup of trash that washes up on shore, via mechanical beach cleaning machines, poses an additional threat to nesting birds, aquatic vegetation, and other type of aquatic life.[29]

These impacts from the G.I. Facility's discharges not only can adversely impact aquatic, avian, and terrestrial life of Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean, but the humans that recreate in, swim in, wade in, cross, come into contact with, look at, enjoy, and or catch and or eat fish from theses waterbodies.

For example, samples of storm water discharged from the G.I. Facility from January 2009 through 2013 taken by the G.I. Facility Owners and/or Operators and as reported in the Facility's Annual Reports and taken by Coastkeeper, have continuously contained copper and TSS in concentrations documented to cause sub-lethal toxicity impacts on the Southern California Steelhead and other aquatic life, have continuously contained aluminum and iron in concentrations that impart acute and chronic toxicity to aquatic life and aquatic plants, have

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[22] *See* Amendment to the Water Quality Control Plan – Los Angeles Region to incorporate the TMDL for Trash in the Los Angeles River Watershed, California Regional Quality Control Board Los Angeles Region, Attachment A to Resolution No. 07-012 (Aug. 9, 2007).
[23] Trash TMDL for the Los Angeles River Watershed, California Regional Water Quality Control Board Los Angeles Region (Jul. 27, 2007), p. 15.
[24] Interagency Report on Marine Debris Sources, Impacts, Strategies & Recommendations, National Oceanic and Atmospheric Administration (August 2008), p. 24.
[25] Draft Assessing and Monitoring Floatable Debris, US Environmental Protection Agency (2001), p. 1-2.
[26] *Id.* at 1-1.
[27] Interagency Report on Marine Debris Sources, Impacts, Strategies & Recommendations, National Oceanic and Atmospheric Administration (August 2008), p. 23.
[28] Draft Assessing and Monitoring Floatable Debris, US Environmental Protection Agency (2001), p. 1-3.
[29] *Id.* at 24.

continuously contained aluminum and iron in concentrations in exceedance of the U.S. Environmental Protection Agency National Recommended Water Quality Criteria for Freshwater Aquatic Life Protection of .75 mg/L and 1 mg/L respectively, and have continuously contained E. coli and fecal coliform in concentrations that threaten human health in excess of the Basin Plan water quality standards of 235 MPN / 100 mL and 400 MPN / 100 mL respectively. Furthermore, observations and samples of non storm water discharges from the Facility taken by Coastkeeper, have documented E. coli and fecal coliform in concentrations that threaten human health in excess of the Basin Plan water quality standards of 235 MPN / 100 mL and 400 MPN / 100 mL respectively, and have documented trash in quantities that impair: human health; human enjoyment of, use of, and recreation in waterbodies; and the environment.

Discharges from the Facility that contain TSS, copper, aluminum, iron, E. coli, fecal coliform, trash, or other pollutants in levels equal to or greater than levels known to adversely impact human health and Arroyo Simi's, Arroyo Las Posas's, Calleguas Creek's, Mugu Lagoon's, and the Pacific Ocean's aquatic species, including salmonids and macroinvertebrates, and the environment constitute violations of the CWA and the Receiving Water Limitation C(1) of the Storm Water Permit.

Receiving Water Limitation C(2) of the Storm Water Permit prohibits storm water discharges and authorized non-storm water discharges that cause or contribute to an exceedance of an applicable water quality standard, such as CTR criteria or the Basin Plan Water Quality Standards.[30] Storm Water Permit at 4. Thus, discharges that contain pollutants in excess of the CTR criteria or Basin Plan Water Quality Standards, violate Receiving Water Limitation C(2) of the Storm Water Permit and the Clean Water Act.

Samples of storm water and non-storm water discharged from the G.I. Facility, taken by the G.I. Facility Owners and/or Operators as reported in the Facility's Annual Reports and taken by Coastkeeper, have demonstrated exceedances of the Basin Plan's Water Quality Standards for E. coli, fecal coliform, pH, and have demonstrated exceedances of the CTR criteria.

Storm water sampling and dry weather sampling data collected by Coastkeeper investigators from the Facility's discharges indicate levels of E. coli and fecal coliform in the Facility's discharges that are significantly above Basin Plan Water Quality Standards[31] and that

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[30] Water Quality Standards are pollutant concentration levels determined by the State Water Resources Control Board and the EPA to be protective of the Beneficial Uses of the receiving waters. Discharges above Water Quality Standards contribute to the impairment of the receiving waters' Beneficial Uses. Applicable Water Quality Standards include, among others, the Criteria for Priority Toxic Pollutants in the State of California, 40 C.F.R. § 131.38 ("CTR") and Basin Plan Water Quality Objectives.

[31] The Basin Plan's designated beneficial uses, together with water quality objectives, form the Basin Plan Water Quality Standards (Basin Plan p. 2-1). The Basin Plan's designated Beneficial Uses for the Santa Clara River fresh waters and estuary that receive polluted storm water discharges from the Facility include: agriculture supply (AGR), municipal and domestic supply (MUN), groundwater recharge (GWR), water contact recreation (REC1), non-contact water recreation (REC 2), cold freshwater habitat (COLD), warm freshwater habitat (WARM), estuarine habitat (EST), wildlife habitat (WILD), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR) and spawning, reproduction and development (SPWN). *See* Basin Plan, pp. 2-1 - 2-5, Table 2.1. The Basin Plan's designated Beneficial Uses for the Ventura County Coastal beach, ocean, and estuary waters that

can adversely impact human health. For instance, a dry weather non storm water discharge from the G.I. Facility taken by Coastkeeper on May 29, 2013 from Discharge Point GIA, a Discharge Point not reported or monitored by G.I. Industries as required by the Storm Water Permit from a driveway on West Los Angeles in between the East Gate Discharge Point and the Facility offices, evidences E. coli at 651 MPN/ 100 mL, more than 2.75 times the Basin Plan Water Quality Standard for fresh water recreational Beneficial Uses, and fecal coliform at 500 MPN / 100 mL, 1.25 times the Basin Plan Water Quality Standard for fresh water and marine recreational Beneficial Uses. Storm water discharges from the G.I. Facility taken by Coastkeeper on December 7, 2013 from Discharge Point GI-1, evidences E. coli at 48,000 MPN/ 100 mL, more than 200 times the Basin Plan Water Quality Standard for fresh water recreational Beneficial Uses, and fecal coliform at 48,000 MPN / 100 mL, 120 times the Basin Plan Water Quality Standard for fresh water and marine recreational Beneficial Uses. Storm water discharges from the G.I. Facility taken on December 7, 2013 from Discharge Point GI-2, evidences E. coli at 28,000 MPN/ 100 mL, more than 119 times the Basin Plan Water Quality Standard for fresh water recreational Beneficial Uses, and fecal coliform at 28,000 MPN / 100 mL, 70 times the Basin Plan Water Quality Standard for fresh water and marine recreational Beneficial Uses.

In addition, the G.I. Industries Owners and/or Operators reported in the 2009-10 wet season that samples of storm water discharges taken on February 9, 2010 at the Facility's East Gate Discharge Point, evidence pH at 6.1 pH units in exceedance of the CTR lower range limit of 6.5 pH units, and G.I. Industries Owners and/or Operators reported in the 2011-12 wet season that samples of storm water discharges taken on April 11, 2012 at the Facility's East Gate Discharge Point, continue to evidence pH at 6.1 pH units in exceedance of the CTR lower range limit of 6.5 pH units. Further, storm water discharges from the G.I. Facility taken by Coastkeeper on December 7, 2013 from Discharge Point GI-2, evidences copper at .014 mg/L, above the CTR criteria of .013 mg/L, and visual observations by Coastkeeper investigators confirm that the Facility discharges significant amounts of trash into Arroyo Simi, thereby violating the Basin Plan narrative water quality standard that "[w]aters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses." Basin Plan at 3-16.

Storm water sampling data collected by the G.I. Industries Owners and/or Operators and reported in the Facility's Annual Report, and storm water sampling data collected by Coastkeeper, also demonstrate ongoing exceedances of Basin Plan narrative water quality standards for TSS in the Facility's discharges and demonstrate the ongoing presence of TSS levels in the Facility's discharge known to harm aquatic species, such as salmonids, including

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receive polluted storm water discharges from the Facility include: water contact recreation (REC1), non-contact water recreation (REC 2). *See* Basin Plan, pp. 2-1 - 2-5, Table 2.3.; The Basin Plan Water Quality Objectives provides: a.) in marine waters designated for Water Contact Recreation (REC-1), the single sample limits for bacteria are as follows: (1) total coliform density cannot exceed 10,000/100 ml; (2) fecal coliform density cannot exceed 400/100 mL; and b.) in fresh waters designated for Water Contact Recreation (REC-1), the single sample limits are the following: E. coli density cannot exceed 235/100 mL and fecal coliform density cannot exceed 400/100 mL. Basin Plan Chapter 3; Chapter 3 p. 3-3; Los Angeles Regional Board Resolution No. 01-018, Attachment, available at: http://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/ (last visited January 8, 2014).

juvenile and adult Southern California Steelhead. For example, the G.I. Industries Owners and/or Operators reported in the 2009-10 wet season that samples of storm water discharges taken on January 22, 2009 at the Facility's East Gate Discharge Point and West Gate Discharge Point evidence TSS at 595 mg/L and 108 mg/L respectively, well in excess of the Basin Plan's narrative Water Quality Standard that "waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses". Similar exceedances were found at Facility discharge points from samples taken during 2010, 2011, and 2013, including from a sample taken from GI-2 on December 7, 2013 by Coastkeeper, evidencing TSS at 1,110 mg/L, well in excess of the Basin Plan's narrative Water Quality Standards for TSS.

According to G.I. Industries Owners and/or Operators' SWPPP and Coastkeeper's investigations and visual observations, since at least 2009, there have been no changes to source or treatment control measures or BMPs at the Facility to reduce the concentrations or levels of dissolved copper, E. coli, fecal coliform, TSS, trash, or pH in the Facility's discharges to levels below Basin Plan Water Quality Standards and or CTR criteria, and to prevent the Facility's discharges from containing levels of these pollutants that can adversely impact aquatic life and the health and enjoyment of humans utilizing, wading in, observing, enjoying, or recreating in Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, the Pacific Ocean, and Ventura County Coastal Waters and Beaches downstream from the Facility's discharges. Therefore, discharges containing equivalent concentrations of E. Coli, fecal coliform, copper, aluminum, iron, TSS, trash, and pH units have occurred since at least 2009.

Information available to Coastkeeper indicates that the storm water and non-storm water discharges from the G.I. Facility to surface waters contain pollutants that adversely impact human health or the environment and/or cause or contribute to a violation of an applicable water quality standards in violation of Receiving Water Limitations (C)(1) and C(2), respectively. Information available to Coastkeeper indicates that the storm water discharges and non-stormwater discharges from the G.I. Facility violate these Receiving Water Limitations during each significant rain event occurring since at least January 9, 2009, dates of which are identified in Exhibit A attached hereto [32], and during dry weather conditions. These discharge violations are ongoing, and Coastkeeper will update the number and dates of violation when additional information and data becomes available.

Every day discharges of storm water and non-storm water from the G.I. Facility adversely impact human health or the environment or cause or contribute to a violation of applicable water quality standards is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). These violations are ongoing, and will continue each day contaminated storm water and non-storm water is discharged to surface water in violation of the Receiving Water Limitations of the Storm Water Permit.

[32] A significant rain event is an event that produces storm water runoff, which according to the United States Environmental Protection Agency occurs with more than 0.1 inches of precipitation.

C. Discharges of Non-Storm Water from the G.I. Facility in Violation of Discharge Prohibition A(1) of the Storm Water Permit, and the Clean Water Act

Discharge Prohibitions A(1) of the Storm Water Permit prohibits non-storm water discharges that discharge either directly or indirectly to waters of the United States, except as allowed in Special Conditions D(1) of the Storm Water Permit. In addition, Discharge Prohibition A(1) of the Storm Water Permit provides that non-storm water discharges must be either eliminated or permitted by a separate NPDES permit.

Coastkeeper investigations and observations of the conditions at the Facility demonstrate that the G.I. Industries Facility has historically, and continues to, discharge non-storm water indirectly into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean, all of which are waters of the United States, and that the G.I. Industries Facility has not either eliminated its non-storm water discharges or permitted its non-stormwater discharges by a separate NPDES permit. Furthermore, Coastkeeper investigations, observations, and sampling of the Facility's non-storm water discharges indicate that the Facility's non storm water discharges are not authorized by Special Conditions D(1) of the Storm Water Permit because: the Facility's non-storm water discharges contain significant quantities of pollutants such as E. coli and fecal coliform; BMPs are not included in the Facility SWPPP to (1) prevent or reduce the contact of non-storm water discharges with significant materials or equipment and (2) minimize, to the extent practicable, the flow or volume of non-storm water discharges; the Facility monitoring program fails to include quarterly visual observations of each non-storm water discharge and its sources to ensure that BMPs are being implemented and are effective; the Facility's non-storm water discharges are not reported and described annually as part of the annual report to the Regional Board; and the Facility's non-storm water discharges are not in compliance with Regional Water Board requirements.

For example, samples of Facility non-storm water discharges of wash/waste water from runoff generated by a high pressure hose cleaning Facility trash bins that were taken by Coastkeeper on May 29, 2013 from Discharge Point GIA, a Discharge and Discharge Point not reported or monitored by G.I. Industries as required by the Storm Water Permit from a driveway on West Los Angeles in between the East Gate Discharge Point and the Facility offices, evidenced E. coli at 651 MPN/ 100 mL, more than 2.75 times the Basin Plan Water Quality Standard for fresh water recreational Beneficial Uses, and fecal coliform at 500 MPN / 100 mL, 1.25 times the Basin Plan Water Quality Standard for fresh water and marine recreational Beneficial Uses. Subsequent observations by Coastkeeper indicate that this un-reported, un-observed, and un-monitored non-stormwater discharge from the Facility at Facility Discharge Point GIA is ongoing and continuous, and that the Facility has not conducted quarterly visual observations of each non-storm water discharge from Discharge Point GIA or implemented BMPs (or included BMPs in the Facility SWPPP) to (1) prevent or reduce the contact of non-storm water discharges with significant materials or equipment and (2) minimize, to the extent practicable, the flow or volume of non-storm water discharges.

Information available to Coastkeeper indicates that non-storm water discharges from the G.I. Facility to indirectly into Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean have violated, and continue to violate, Discharge Prohibition A(1) of the Storm Water Permit each and every day the Facility has been in operation since at least January 9, 2009. These discharge violations are ongoing, and Coastkeeper will update the dates of violations when additional information and data becomes available. Every day discharges of non-storm water from the G.I. Facility occurs in violation of Discharge Prohibition A(1) is a separate and distinct violation of the Storm Water Permit and Section 301(a) of the Clean Water Act, 33 U.S.C. §1311(a). These violations are ongoing, and will continue each day non-storm water is discharged to surface waters in violation of the Discharge Prohibition A(1) of the Storm Water Permit.

D. Failure to Develop, Implement, and/or Revise an Adequate Storm Water Pollution Prevention Plan

Section A(1) and Provision E(2) of the Storm Water Permit requires dischargers to have developed and implemented a SWPPP by October 1, 1992, or prior to beginning industrial activities, that meets all of the requirements of the Storm Water Permit. The objective behind the SWPPP requirements is to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges from the G.I. Facility, and to implement site-specific BMPs to reduce or prevent pollutants associated with industrial activities in storm water discharges. Storm Water Permit, Section A(2). To ensure its effectiveness, the SWPPP must be evaluated on an annual basis pursuant to the requirements of Section A(9), and must be revised as necessary to ensure compliance with the Storm Water Permit. *Id.*, Sections A(9), (10).

Sections A(3) – A(10) of the Storm Water Permit set forth the requirements for a SWPPP. Among other things, the SWPPP must include: a site map showing the facility boundaries, storm water drainage areas with flow patterns, nearby water bodies, the location of the storm water collection, conveyance and discharge system, structural control measures, areas of actual and potential pollutant contact, and areas of industrial activity (*see* Section A(4)); a list of significant materials handled and stored at the site (*see* Section A(5)); and, a description of potential pollutant sources including industrial processes, material handling and storage areas, dust and particulate generating activities, a description of significant spills and leaks, a list of all non-storm water discharges and their sources and a description of locations where soil erosion may occur, (*see* Section A(6)). Sections A(7) and (8) require an assessment of potential pollutant sources at the facility and a description of the BMPs to be implemented at the facility that will reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges, including structural BMPs where non-structural BMPs are not effective.

Information available to Coastkeeper demonstrates that the G.I. Facility Owners and/or Operators have not developed and/or implemented a SWPPP that meets the requirements of the Storm Water Permit, in violation of Section A and Provision E(2) of the Storm Water Permit. For example, G.I. Industries Owners and/or Operators have failed to specifically identify the presence of E. coli and fecal coliform in, on, and adhering to their refuse/garbage/trash residue

on the refuse/garbage/trash containers, equipment, and vehicles stored and placed in the Facility. Because fecal mater, fecal coliform, and E. coli are likely pollutant sources to be found in, on, and adhering to garbage/refuse/trash containers and vehicles stored, present, and maintained at the Facility, G.I. Industries Owners and/or Operators have failed to identify, and thus failed to address and identify, all potential pollutant sources and necessary BMPs/Control Practices in the SWPPP as required by Section A(6), A(7), and A(8) of the Storm Water Permit. Furthermore, Coastkeeper's documentation of the Facility's practice of discharging refuse/garbage/trash container wash down and waste water containing trash, debris, and levels of E. coli and fecal coliform exceeding Basin Plan Water Quality Standards from Facility Discharge Point GIA demonstrates that G.I. Industries Owners and/or Operators have failed to adequately and accurately identify, describe and assess potential pollutant sources, and to develop and implement BMPs to prevent pollutants in storm water discharges and authorized non-storm water discharges in violation of Section A(6), A(7), and A(8) of the Storm Water Permit.

In addition, G.I. Industries Owners and/or Operators have failed to comply with Section A(5) of the Storm Water Permit, because the SWPPP does not contain a sufficiently complete and detailed list of all significant materials handled and stored at the site such as garbage/refuse/trash residue and contaminants on, adhering to, or in garbage/refuse containers and vehicles stored, maintained, or otherwise present at the Facility. Without a reasonably specific identification of potential pollutants such as E. coli and fecal coliform, a different types of metals such copper, aluminum, zinc, iron, and lead, the identification of BMPs in the Facilities SWPPP is rendered meaningless in that it is more difficult to assess whether these BMPs are effective. Specific types of pollutants may require different BMPs or have different BAT/BCT.

Further, information available to Ventura Coastkeeper indicates that G.I. Industries Owners and/or Operators failed to comply with Section A(4) and A(6) of the Storm Water Permit because the SWPPP site map for the G.I. Facility does not identify all locations where storm water discharges from the Facility, or the location of storm drain inlets and nearby surface waters that receive discharges from the G.I. Facility. For example, Facility Discharge Points GIA, GI-1, and GI-2 identified in this letter are not included in the SWPPP Map, nor are these discharge points described or identified in the SWPPP.

In addition, G.I. Industries Owners and/or Operators have failed to comply with Section A(8)(b) of the Storm Water Permit because the Facility's history of storm water discharges with copper, aluminum, iron, and TSS concentrations that exceed EPA Benchmarks, as evidenced by the Facility's own storm water monitoring data and Coastkeeper data, requires the SWPPP to consider additional and effective structural BMPs because the non structural BMPs and other BMPs proposed or implemented as set forth in the Facility's SWPPP have not been effective. Furthermore, in violation of the Storm Water Permit, the G.I. Facility Owners and/or Operators have failed and continue to fail to develop and/or implement adequate BMPs to prevent the exposure and subsequent discharge of pollutants such as E. Coli, fecal coliform, trash, copper, aluminum, iron, and TSS from the G.I. Facility at levels that achieve EPA Benchmarks, Basin Plan Water Quality Standards, the CTR criteria, and at levels that do not impair the beneficial uses of Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Mugu Lagoon, and the Pacific Ocean.

As a last example, despite continuing violations of the Storm Water Permit, information available to Coastkeeper indicates that the G.I. Facility Owners and/or Operators have not revised the SWPPP as necessary to ensure compliance with the Storm Water Permit, in violation of Sections A(9) and (10) of the Storm Water Permit.

Every day the G.I. Facility operates with an inadequately developed, implemented, and/or properly revised SWPPP is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The G.I. Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's SWPPP requirements every day since at least January 9, 2009. These violations are ongoing, and Coastkeeper will include additional violations when information becomes available.

E. Failure to Develop, Implement, and/or Revise an Adequate Monitoring and Reporting Program

Section B(1) and Provision E(3) of the Storm Water Permit require facility operators to develop and implement an adequate Monitoring and Reporting Program ("MRP") by October 1, 1992, or prior to the commencement of industrial activities, that meets all of the requirements of the Storm Water Permit. The primary objective of the MRP is to detect and measure the concentrations of pollutants in a facility's discharge to ensure compliance with the Storm Water Permit's Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations. *See* Storm Water Permit, Section B(2). The MRP must therefore ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility, and are evaluated and revised whenever appropriate to ensure compliance with the Storm Water Permit. *Id.*

Sections B(3) through B(16) of the Storm Water Permit set forth the MRP requirements. Specifically, Section B(3) requires dischargers to conduct quarterly dry season visual observations of all drainage areas within their facility for the presence of authorized and unauthorized non-storm water discharges. Section B(4) requires dischargers to conduct visual observations of storm water discharges from one storm event per month during the wet season (defined as October 1-May 30). Sections B(3) and (4) further require dischargers to document the presence of any floating or suspended material, oil and grease, discolorations, turbidity, odor and the source of any pollutants. Dischargers must maintain records of observations, observation dates, locations observed, and responses taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water and storm water discharges. Storm Water Permit, Sections B(3) and (4). Dischargers must also revise the SWPPP to ensure that BMPs are effectively reducing and/or eliminating pollutants at the facility. *Id.* Section B(4).

Sections B(5) and (7) of the Storm Water Permit require dischargers to visually observe and sample storm water discharges from all locations where storm water is discharged. Facility operators, including the G.I. Facility Owners and/or Operators, are required to collect samples from at least two qualifying storm events each wet season, including one set of samples during the first storm event of the wet season. *See* Storm Water Permit, Sections B(5). Required samples must be collected by Facility operators from all discharge points and during the first

hour of the storm water discharge from the Facility. *Id.* Sampling of stored or contained storm water shall occur any time the stored or contained storm water is released. *Id.* Storm water samples shall be analyzed for TSS, pH, specific conductance, total organic carbon or oil and grease, toxic chemicals and other pollutants that are likely to be present in significant quantities in the discharges. *Id.*, Section B(5)(c).

The G.I. Facility has not developed, implemented and/or revised an MRP for its Facility as required by the Storm Water Permit. Specifically, G.I. Facility has failed to collect storm water samples from the first qualifying storm event of each wet season from the 2008 - 2009 rainy season to the present, has failed to collect two samples from all discharge locations during each wet season from the 2008- 2009 rainy season to the present, and has routinely failed to collect storm water samples from the first hour of the storm water discharge from the Facility from the 2008 - 2009 rainy season to the present.[33] The G.I. Facility thus has failed to collect two samples from all discharge locations as required by the Storm Water Permit from the 2008-2009 rainy season to the present. *See* Storm Water Permit, Sections B(5)(a).

Coastkeeper investigations and observations of the conditions at the Facility also demonstrate that the G.I. Industries Owners and/or Operators have not developed and/or implemented an adequate MRP that meets the requirements of Sections B(3)-B(5) Storm Water Permit because the Facility's MRP does not include storm water sampling and storm water discharge monitoring requirements from and for Discharge Points GIA, GI-1, and GI-2 identified in this letter. In addition, G.I. Industries Owners and/or Operators have not developed and/or implemented an adequate MRP in violation of Section B(5)(c) of the Storm Water Permit because the G.I. Industries Owners and/or Operators failed to analyze the storm water samples for the and 2008-2009, 2009-10, 2010-11, 2011-12, and 2012-13 wet season for all toxic chemicals and other pollutants likely to be present in significant quantities in the storm water discharges, such as E. coli and fecal coliform, and the MRP does not contain this mandatory Storm Water Permit requirement to sample the Facility's storm water discharges for these constituents. Furthermore, despite finding, and reporting in the Facility's 2008-2009 annual report, high levels of copper, zinc, iron, and aluminum in the Facility's storm water discharges during the 2008-2009 rainy season, G.I. Industries Owners and/or Operators neglected to sample the Facility's discharges for of copper, zinc, iron, and aluminum in the 2009-2010 wet season in violation of Section B(5)(c) of the Storm Water Permit.

Further, G.I. Facility failed to record visual observations of storm water discharges from one storm event per month during each wet season from the 2008 - 2009 rainy season to the present, as required by Section B(4) of the Storm Water Permit. Qualifying storm events occurred at the G.I. Facility, but visual observations of storm water discharges were not made, during each of the months identified in Exhibit B.[34] Each of these failures constitutes a violation

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[33] Exhibit B, attached and incorporated by reference, sets forth dates on which qualifying rain events during which samples could have been taken occurred at the G.I. Facility in the past five (5) years. A qualifying rain event for sampling purposes is defined in the Storm Water Permit as a discharge that occurs during working hours and that is preceded by at least (3) three working days without a storm water discharge. Storm Water Permit, Section B(5)(b).

[34] Exhibit B, sets forth months during which rain events occurred in which observations of discharges should have been taken in the past five (5) years. A qualifying rain event for visual observations is defined in the Storm Water

of Section B(4) of the Storm Water Permit and the Clean Water Act. Because the G.I. Facility Owners and/or Operators failed to take visual observations of storm water discharges as required during these months, they also failed to document the presence of any floating or suspended material, oil and grease, discolorations, turbidity, trash, odor and the source of any pollutants, in violation of Section B(4) of the Storm Water Permit.

The G.I. Facility's failure to conduct sampling, monitoring, and reporting as required by the Storm Water Permit demonstrates that the G.I. Facility Owners and/or Operators have failed to develop, implement and/or revise an MRP that complies with the requirements of Section B and Provision E(3) of the Storm Water Permit. Every day that the G.I. Facility Owners and/or Operators conducts operations in violation of the specific monitoring and reporting requirements of the Storm Water Permit, or with an inadequately developed and/or implemented MRP, is a separate and distinct violation of the Storm Water Permit and the Clean Water Act. The G.I. Facility Owners and/or Operators have been in daily and continuous violation of the Storm Water Permit's MRP requirements every day since at least January 9, 2009. These violations are ongoing, and Coastkeeper will include additional violations when information becomes available.

F. Relief and Penalties Sought for Violations of the Clean Water Act

Pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d), and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. §19.4, each separate violation of the Clean Water Act subjects the violator to a penalty for all violations occurring during the period commencing five years prior to the date of a notice of intent to file suit. These provisions of law authorize civil penalties of up to $32,500 per day per violation for all Clean Water Act violations between March 15, 2004 and January 12, 2009, and $37,500 per day per violation for all Clean Water Act violations after January 12, 2009. In addition to civil penalties, Coastkeeper will seek injunctive relief preventing further violations of the Clean Water Act pursuant to Sections 505(a) and (d), 33 U.S.C. §1365(a) and (d), declaratory relief, and such other relief as permitted by law. Lastly, pursuant to section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), Coastkeeper will seek to recover its costs, including attorneys' and experts' fees, associated with this enforcement action.

IV. Conclusion

Upon expiration of the 60-day notice period, Coastkeeper will file a citizen suit under Section 505(a) of the Clean Water Act for the G.I. Industries Facility Owners and/or Operator's violations of the Storm Water Permit and Clean Water Act. During the 60-day notice period, however, Coastkeeper is willing to discuss effective remedies for the violations noted in this letter. If you wish to pursue such discussions in the absence of litigation, we suggest that you initiate those discussions immediately.

Permit as a discharge that occurs during working hours and that is preceded by at least (3) three days without a storm water discharge. Storm Water Permit, Section B(4)(b).

Please direct all communications to Wishtoyo Foundation's and its Ventura Coastkeeper Program's Staff Attorney at:

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Sincerely,

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Exhibit A: Rain Table - Number of Days with Rain Above .1 Inches
Station Name: OXNARD VENTURA CO AIRPORT, CA US
Station Id:GHCND:USW00093110
Will update with remaining 2013/2014 data when data becomes available

YEAR	MO	DA	Total Rain (Inches)
2009	1	23	0.19
2009	1	24	0.18
2009	2	5	0.97
2009	2	6	0.63
2009	2	7	0.81
2009	2	9	0.54
2009	2	13	0.55
2009	2	16	2.13
2009	2	17	0.21
2009	3	4	0.39
2009	5	5	0.1
2009	6	5	0.13
2009	10	13	0.54
2009	10	14	0.33
2009	12	7	0.88
2009	12	10	0.37
2009	12	11	0.31
2009	12	12	0.78
2009	12	13	0.2
2010	1	13	0.23
2010	1	17	1.12
2010	1	18	1.01
2010	1	19	1.01
2010	1	20	1.36
2010	1	21	0.63
2010	1	22	0.77
2010	2	5	1.95
2010	2	6	0.27
2010	2	9	0.18
2010	2	19	0.28
2010	2	24	0.17
2010	2	27	1.51
2010	3	3	0.14
2010	3	6	0.39
2010	4	4	0.18
2010	4	5	0.18
2010	4	11	0.69
2010	4	20	0.12

YEAR	MO	DA	Total Rain (Inches)
2010	5	18	0.1
2010	10	4	0.17
2010	10	5	0.15
2010	10	6	0.61
2010	10	18	0.1
2010	10	19	0.29
2010	10	30	0.93
2010	11	7	0.14
2010	11	20	0.3
2010	11	21	0.42
2010	12	5	0.54
2010	12	17	0.6
2010	12	18	2.92
2010	12	19	2.15
2010	12	20	0.44
2010	12	21	0.42
2010	12	22	0.93
2010	12	25	0.87
2010	12	29	0.67
2011	1	2	0.4
2011	1	30	0.18
2011	2	15	0.34
2011	2	16	0.42
2011	2	18	0.31
2011	2	19	0.37
2011	2	25	0.37
2011	3	23	0.42
2011	3	24	0.23
2011	3	25	0.11
2011	5	17	0.27
2011	6	6	0.13
2011	10	5	1.04
2011	11	6	0.24
2011	11	11	0.38
2011	11	20	0.72
2011	12	12	0.3
2012	1	21	0.91
2012	1	23	0.72

Exhibit A: Rain Table - Number of Days with Rain Above .1 Inches
Station Name: OXNARD VENTURA CO AIRPORT, CA US
Station Id:GHCND:USW00093110
Will update with remaining 2013/2014 data when data becomes available

YEAR	MO	DA	Total Rain (Inches)
2012	3	17	0.81
2012	3	25	1.56
2012	4	10	0.25
2012	4	11	0.75
2012	4	25	0.12
2012	4	26	0.14
2012	11	17	0.15
2012	11	18	0.47
2012	11	29	0.31
2012	11	30	0.22
2012	12	1	0.31
2012	12	2	0.13
2012	12	3	0.29
2012	12	18	0.17
2012	12	24	0.46
2012	12	29	0.11
2013	1	7	0.11
2013	1	24	0.64
2013	1	26	0.28
2013	2	20	0.14
2013	3	8	0.85
2013	3	31	0.16
2013	5	6	0.12
2013	11	21	0.47
2013	11	29	0.12
2013	12	7	0.24

Exhibit B: Rain Table –Qualifying Rain Events During Business Hours
Station Name: OXNARD VENTURA CO AIRPORT, CA US
Station Id:GHCND:USW00093110
Will update with remaining 2013/2014 data when data becomes available

YEAR	MO	DA	Total Rain (Inches)	Day of Week
2009	1	23	0.19	F
2009	2	5	0.97	Th
2009	2	13	0.55	F
2009	3	4	0.39	W
2009	5	5	0.1	T
2009	10	13	0.54	T
2009	12	7	0.88	M
2010	1	13	0.23	W
2010	1	17	1.12	F
2010	2	5	1.95	F
2010	2	19	0.28	F
2010	2	24	0.17	W
2010	3	3	0.14	W
2010	4	4	0.18	S
2010	4	11	0.69	S
2010	4	20	0.12	T
2010	5	18	0.1	T
2010	10	4	0.17	M
2010	10	18	0.1	M
2010	10	30	0.93	Sa
2010	11	7	0.14	S
2010	11	20	0.3	Sa
2010	12	5	0.54	S
2010	12	17	0.6	F
2010	12	25	0.87	Sa
2010	12	29	0.67	W
2011	1	2	0.4	S
2011	1	30	0.18	S
2011	2	15	0.34	T
2011	2	25	0.37	F
2011	3	23	0.42	W
2011	5	17	0.27	T

YEAR	MO	DA	Total Rain (Inches)	Day of Week
2011	6	6	0.13	M
2011	10	5	1.04	W
2011	11	6	0.24	S
2011	11	11	0.38	F
2011	11	20	0.72	S
2011	12	12	0.3	M
2012	1	21	0.91	Sa
2012	3	17	0.81	Sa
2012	3	25	1.56	S
2012	4	10	0.25	T
2012	4	25	0.12	W
2012	11	17	0.15	Sa
2012	11	29	0.31	Th
2012	12	18	0.17	T
2012	12	24	0.46	M
2012	12	29	0.11	Sa
2013	1	7	0.11	M
2013	1	24	0.64	Th
2013	2	20	0.14	W
2013	3	8	0.85	F
2013	3	31	0.16	S
2013	5	6	0.12	M
2013	11	21	0.47	Th
2013	11	29	0.12	F
2013	12	7	0.24	Sa